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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,879	07/03/2001	Michael Antonin Sebesta	ROC920000308US1	2204
47542	7590	08/29/2005	EXAMINER	
IBM CORPORATION 3605 HIGHWAY 52 NORTH, DEPT 917 ROCHESTER, MN 55901-7829			STORK, KYLE R	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 08/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/898,879

Applicant(s)

SEBESTA, MICHAEL ANTONIN

Examiner

Kyle R. Stork

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This final rejection is in response to the amendment filed 5 July 2005.
2. Claims 1-25 are pending. Claims 1, 12, and 19 are independent claims. The rejection of claims 1-25 under 35 U.S.C. 103 have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mora et al. (US 6161113, filed 20 January 1998, herein Mora) and further in view of Ertemalp (US 5745110, filed 8 October 1997) and further in view of Oliver (US 5907490, filed 10 June 1997).

In regard to independent claim 1, Mora discloses providing a multiple level arrangement of documents with a first level document representing a task of a project and a second level of documents representing subtasks of the tasks, such that the documents are arranged in a hierarchical manner, and wherein said project may comprise multiple tasks (Mora Col 11 Lines 21-30 and Cols 25-58 i.e. all show descriptions or summaries and Fig 3 shows a hierarchical structure of the document); adding a summary information field to each document with relevant summary

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information for that document (Mora Col 17 Lines 39-44 Lines 60-64 and Col 59 Lines 21-24 and Col 17 Lines 16-20).

Mora does not specifically disclose said summary information including information about a percentage completion of a particular task/subtask represented by the particular document. However, Ertemalp shows where a start and end time are set for a project and a table which displays the progress of the project according to the start and end time (Ertemalp Figures 4, 10 and 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of display the progress of a project based on a start and end time set for the project to ensure the project remains on schedule for successful completion. Mora also fails to specifically disclose a completion percent within the overall project to be completed. However, Oliver discloses a completion percent within the overall project to be completed (column 8, lines 21-45). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Mora and Ertemalp's method with Oliver's method, since it would have allowed a user to display project data (Oliver: column 8, lines 21-45).

In regard to dependent claim 2, which depends on claim 1, Mora does not specifically disclose further comprising determining whether said saved document as updated a value within its summary information field prior to completing said dynamically updating step, wherein the dynamic updating step only occurs when the value has not been updated. However, Ertemalp mentions that project management software such as Microsoft Project include the step of automatically updating the project

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schedule if task information has been change, updating it after each task change and before the next change (Ertemalp Col 1 Lines 20-39). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit defining, planning, and scheduling tasks to achieve a goal (Ertemalp: column 1, lines 25-26).

In regard to dependent claim 3, which depends on claim 1, Mora discloses monitoring which documents among all opened documents within the hierarchical structure contains said summary information field, wherein said determining process is restricted to only those documents that contain a summary information field. (Mora Col 11 Lines 21-30 and Cols 25-58 i.e. all show descriptions or summaries and Fig 3 shows a hierarchical structure of the document) (Mora Col 9 Lines 9-17 and Cols 25-58)

In regard to dependent claim 4, which depends on claim 3, Mora does not specifically disclose assigning to each task and subtask within the project individual point total representing a completion point for the specific task and/or subtask; encoding said point total within the summary information filed of the document representing the specific take and subtask; enabling updates of a completed point total within the summary information field for each representative document of each task and subtask of the project; automatically determining a point total and completed point total for all tasks and subtasks affiliated with said project; and dynamically calculating a current completion percentage of said task utilizing a sum of the completed point total for subtasks associated with the particular task and dynamically calculating a current completion percentage of said project utilizing said point total for the project and a sum

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of said completed point total for each task within the project total. However, Ertemalp shows where each task is assigned a time frame for completion and a chart is displayed which show the progress of each task with its completion assignment and how it correlates with the completion assignment assigned to other subtasks within the project. The chart also displays the progress of each subtask within the project (Ertemalp Figures 4, 10 and 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of assigning each subtask within the project a timeframe for completion and correlating all of the different timeframes of each subtask together to ensure proper organization in completing the project. Further, Oliver discloses displaying a in-progress value for the percentage complete of the task/project (column 8, lines 21-44). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Mora and Ertemalp's method with Oliver's method, since it would have allowed a user to display project completion data (Oliver: column 8, lines 21-45).

In regard to dependent claim 5, which depends on claim 4, Mora does not specifically disclose dynamically outputting said current completion percentage by displaying the completion percentage of a task at a particular level when the representative document within that level is selected, wherein when the highest level document is selected, represented the entire project, the completion percentage of the project is displayed. However, Ertemalp shows where each task is assigned a time frame for completion and a chart is displayed which show the progress of each task with its completion assignment and how it correlates with the completion assignment

assigned to other subtasks within the project. The chart also displays the progress of each subtask within the project (Ertemalp Figures 4, 10 and 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of assigning each subtask within the project a timeframe for completion and correlating all of the different timeframes of each subtask together to ensure proper organization in completing the project.

In regard to dependent claim 6, which depends on claim 5, Mora does not specifically disclose where said project is subdivided into subproject level having associated tasks and said dynamically calculating steps included calculating said percentage complete at each of said subproject levels. However, Ertemalp shows where each task is assigned a time frame for completion and a chart is displayed which show the progress of each task with its completion assignment and how it correlates with the completion assignment assigned to other subtasks within the project. The chart also displays the progress of each subtask within the project (Ertemalp Figures 4, 10 and 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of assigning each subtask within the project a timeframe for completion and correlating all of the different timeframes of each subtask together to ensure proper organization in completing the project.

In regard to dependent claim 7, which depends on claim 6, Mora does not specifically disclose wherein said project and said subprojects are represented by project documents linked via a computer application, wherein said outputting step includes outputting said completed percentage in a summary display of said project.

However, Ertemalp shows where each task is assigned a time frame for completion and a chart is displayed which show the progress of each task with its completion assignment and how it correlates with the completion assignment assigned to other subtasks within the project. The chart also displays the progress of each subtask within the project (Ertemalp Figures 4, 10 an 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of assigning each subtask within the project a timeframe for completion and correlating all of the different timeframes of each subtask together to ensure proper organization in completing the project.

In regard to dependent claim 8, which depends on claim 7, Mora discloses wherein said computer application is a Lotus Notes Project Tracking application and said calculating step includes programming a LotusScript Agent (Mora Col 3 Lines 2-13 and Lines 30-51) to update a point total in each document within a document hierarchy of said project and subprojects (Mora Fig 3 shows a hierarchical structure of the document)

Mora does not specifically disclose a percentage completion of a particular task/subtask represented by the particular document. However, Ertemalp shows where a start and end time are set for a project and a table which displays the progress of the project according to the start and end time (Ertemalp Figures 4, 10 and 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of display the progress of a project based on a start and end time set for the project to ensure the project remains on schedule for successful completion.

Mora also fails to specifically disclose a completion percent within the overall project to be completed. However, Oliver discloses a completion percent within the overall project to be completed (column 8, lines 21-45). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Mora and Ertemalp's method with Oliver's method, since it would have allowed a user to display project data (Oliver: column 8, lines 21-45).

In regard to dependent claim 9, which depends on claim 8, Mora does not specifically disclose where said determining step includes prompting a user of said document for and input of said completed point total prior to saving said document. However, Ertemalp shows where each task is assigned a time frame for completion and a chart is displayed which show the progress of each task with its completion assignment and how it correlates with the completion assignment assigned to other subtasks within the project. The chart also displays the progress of each subtask within the project (Ertemalp Figures 4, 10 and 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of assigning each subtask within the project a timeframe for completion and correlating all of the different timeframes of each subtask together to ensure proper organization in completing the project. Mora also fails to specifically disclose a completion percent within the overall project to be completed. However, Oliver discloses a completion percent within the overall project to be completed (column 8, lines 21-45). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to

have combined Mora and Ertemalp's method with Oliver's method, since it would have allowed a user to display project data (Oliver: column 8, lines 21-45).

In regard to dependent claim 10, Mora discloses querying at least one lower level document (Mora Figs 3-8 shows a hierarchical structure of the document with options of choosing projects at a lower level); and calculating an updated summary information value at said higher-level document. (Mora Col 17 Lines 39-44 Lines 60-64 and Col 59 Lines 21-24 and Col 17 Lines 16-20).

In regard to dependent claim 11, Mora discloses transmitting a changed summary information value to a higher-level document; and automatically calculating an updated summary information value at said higher-level document when the changed summary information is received. (Mora Col 17 Lines 39-44 Lines 60-64 and Col 59 Lines 21-24 and Col 17 Lines 16-20).

In regard to independent claims 12 and 19, claims 12 and 19 in addition to the following reflect similar subject matter claimed in claim 1 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claims 13 and 20, claims 13 and 20 in addition to the following reflect similar subject matter claimed in claim 2 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claims 14 and 21, claims 14 and 21 in addition to the following reflect similar subject matter claimed in claim 3 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claims 15 and 22, claims 15 and 22 in addition to the following reflect similar subject matter claimed in claim 4 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claims 16 and 23, claims 16 and 23 in addition to the following reflect similar subject matter claimed in claim 5 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claim 17, which depends on claim 16, Mora discloses wherein said computer application is a Lotus Notes Project Tracking application and said calculating means includes means for updating a point total in each document within a document hierarchy of said project and subprojects to reflect said percentage complete utilizing a LotusScript Agent. (Mora Col 3 Lines 2-13 and Lines 30-51) (Mora Fig 3 shows a hierarchical structure of the document)

Mora does not specifically disclose a percentage completion of a particular task/subtask represented by the particular document. However, Ertemalp shows where a start and end time are set for a project and a table which displays the progress of the project according to the start and end time (Ertemalp Figures 4, 10 and 11). It would have been obvious to one of ordinary skill in the art to apply Ertemalp to Mora, providing Mora the benefit of display the progress of a project based on a start and end time set for the project to ensure the project remains on schedule for successful completion. Mora also fails to specifically disclose a completion percent within the overall project to be completed. However, Oliver discloses a completion percent within the overall project to be completed (column 8, lines 21-45). It would have been obvious to one of ordinary

skill in the art at the time of the applicant's invention to have combined Mora and Ertemalp's method with Oliver's method, since it would have allowed a user to display project data (Oliver: column 8, lines 21-45).

In regard to dependent claims 18 and 25, claims 18 and 25 in addition to the following reflect similar subject matter claimed in claim 9 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

In regard to dependent claim 24, claim 24 in addition to the following reflects similar subject matter claimed in claim 17 and are rejected along the same rationale. (Mora Col 5 Lines 61-62 and Col 59 Lines 21-24)

Response to Arguments

5. Applicant's arguments with respect to claims 1, 2, and 4 have been considered but are moot in view of the new ground(s) of rejection.

The applicant argues that Mora and Ertemalp fail to disclose the amended limitations (page 9). However, the Oliver reference has been added to address the added limitations.

6. Applicant's arguments filed 5 July 2005, with respect to Ertemalp have been fully considered but they are not persuasive.

7. The applicant argues that there would be no motivation to combine Ertemalp with Mora because Ertemalp is a scheduler. However, In response to applicant's argument that Ertemalp is nonanalogous art, it has been held that a prior art reference must either

be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Ertemalp, like the applicant's claimed invention, is directed toward the organization of tasks and subtasks for completion.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork
Patent Examiner
Art Unit 2178

krS

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
8/24/2005